

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF
SUTTON ET AL.

Art Unit: 1756
Examiner: Lao, Marialouisa

APPLICATION NO: 10/507,255
FILED: 09/28/04
FOR: SALTS OF NATEGLINIDE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

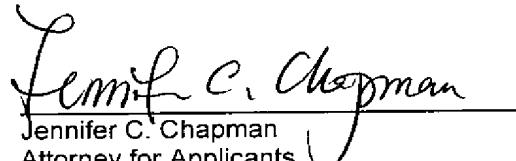
APPEAL BRIEF
PETITION FOR EXTENSION OF TIME

Sir:

The period for filing a Brief on Appeal has a shortened statutory time set to expire on September 9, 2008. A five-month extension is hereby requested pursuant to 37 CFR §1.136(a).

Please charge Deposit Account No. 19-0134 in the name of Novartis in the amount of \$2350 for payment of the extension fee. An additional copy of this paper is here enclosed. The Commissioner is hereby authorized to charge any additional fees under 37 CFR §1.17 which may be required, or credit any overpayment, to Account No. 19-0134 in the name of Novartis.

Respectfully submitted,


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Date: *February 6, 2009*